

County courts may authorize the building of toll bridges.

26. It shall and may be lawful for the majority of the justices of the courts, through whose counties run large water courses or creeks, across which, from the rapidity of the water and width of the stream, it may be too burthensome to build bridges and keep them in repair by a tax on the inhabitants, if they deem it necessary, to contract with builders to build toll bridges or expensive causeways, for each of which, each court is hereby authorized and required to lay the toll to be paid on all persons, horses, carriages and cattle passing over the same: *Provided*, that such toll shall be general to all persons, and no person shall be exempt therefrom. And the revenue arising therefrom for such a number of years, as the said courts may agree upon, shall be granted unto the builders of said bridges, their heirs and successors, for the building thereof, which bridges, being built under the direction of the said courts, and the revenue arising from the toll thereof so granted, the said builder or builders, his or their heirs or successors, shall keep in constant repair at his or their sole expense, and shall keep good and sufficient hand rails across the same; in default of which, on conviction, they are hereby declared to forfeit all right and title to the toll allowed by the court.

County courts to regulate the rates of ferriage.

27. The justices of each county shall, once a year, or oftener if necessary, at the first court to be held after the first day of January, in each year, rate the prices of such ferries, as shall be kept within their respective counties: And any ferry keeper, who shall ask, demand or receive a greater price for ferriage, than shall be rated by the justices according to the directions of this act, shall forfeit five dollars for every offence. And every person, who lives at, or owns a public ferry in this State, and refuses to keep up such ferry, at the rates allowed by the county court, shall forfeit for every such offence the sum of five dollars.

Owners of ferries may build toll bridges at their ferries.

28. In all cases, where the proprietor of any ferry shall prefer building a good and substantial bridge over any water course, instead of keeping a ferry, he shall be at liberty to do so, under the same rights and in the same manner, by which the ferry is claimed and held, and under the same rules, regulations and restrictions as other toll bridges heretofore established by law: *Provided nevertheless*, that no more toll shall be demanded for passing any bridge, erected in consequence of this act, than is granted by law for the ferriage, unless by agreement with the county court, who are hereby authorized to grant an advance, as far as twentyfive per cent., and not more. *And provided further*, that in all such bridges, the proprietors shall erect a draw, where any water course is frequently and commonly used by sea vessels, or masted boats of considerable burthen.

County courts may compel keepers of ferries and owners of toll bridges to give bond, &c.

29. The courts of each and every county shall have full power and authority, and they are hereby directed and required, to compel all persons, that now do or shall hereafter be appointed to keep

26. 1784, c. 227, s. 7.—1817, c. 939, s. 2.—1817, c. 940, s. 3.

27. 1779, c. 10, s. 8 and 9 of Iredell's Rev.—C. 160, s. 2 of the New Rev.

28. 1806, c. 706.

29. 1784, c. 227, s. 15.